

Search Warrant

UNITED STATES DISTRICT COURT

for the
District of Arizona

In the Matter of the Search of

*(Briefly Describe the property to be searched or identify the person by name and address)*Information associated with a Black Samsung
Smartphone with IMEI: 353717345176483, that is
currently located at the Federal Bureau of Investigation
office, 21711 North 7th Street, Phoenix, Arizona 85024

Case No. 24-8002 MB

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the District of Arizona.
(identify the person or describe the property to be searched and give its location):

As further described in Attachment A.

The person or property to be searched, described above, is believed to conceal (identify the person or describe the property to be seized):

As set forth in Attachment B.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before 1-30-24.
(not to exceed 14 days)☒ in the daytime 6:00 a.m. to 10 p.m.☐ at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to the United States Magistrate Judge on duty in the District of Arizona.

☐ I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box) ☐ for 30 days (not to exceed 30)☐ until, the facts justifying, the later specific date of _____.Date and time issued: 1/16/24 2:28P-JB
Judge's signatureCity and State: Phoenix, ArizonaHonorable John Z. Boyle, U.S. Magistrate Judge
Printed name and title

AO 93 (Rev. 01/09) Search and Seizure Warrant (Page 2)

RETURN

Case No.:

Date and Time Warrant Executed:

Copy of warrant and inventory left with:

Inventory Made in the Presence of:

Inventory of the property taken and name of any person(s) seized:

CERTIFICATION

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date:

Executing officer's signature_____
Printed name and title

ATTACHMENT A

DESCRIPTION OF ITEMS TO BE SEARCHED

- a. TARGET DEVICE – Black Samsung Phone with IMEI 353717345176483



From 3/1/23 -
12/31/23

ATTACHMENT B

ITEMS TO BE SEIZED

- a. All records including call records, text messages, email, device locations, GPS locations, or third-party applications on TARGET DEVICE described in Attachment A that relate to a violation of assault, in violation of Title 18, United States Code, Sections 1152 and 113(a)(6), Assault Resulting in Serious Bodily Injury, and Title 18, United States Code, Sections 1152 and 2241(a), Aggravated Sexual Abuse.
- b. Evidence of user attribution showing who used or owned TARGET DEVICE at the time the items described in this warrant were created, edited, or deleted, such as logs, phonebooks, text messages, calls, saved usernames and passwords, and documents;
- c. Location
- d. Any and all correspondence, including but not limited to telephone calls, messages, chat logs, and emails.
- e. Any and all notes, documents, records, instructions, or correspondence, in any format or medium (including, but not limited to, envelopes, letters, papers, e-mail messages, chat logs and electronic messages, and other digital data files) concerning assault.
- f. Any contacts, friends lists, address books, or related items;

As used above, the terms "records" and "information" include all of the foregoing items of evidence in whatever form and by whatever means they may have been created or stored, including any form of computer or electronic storage (such as flash memory or other media that can store data) and any photographic form.

Application for a Search Warrant

UNITED STATES DISTRICT COURT
for the
District of Arizona

In the Matter of the Search of

(Briefly Describe the property to be searched or identify the person by name and address)

Information associated with a Black Samsung Smartphone with IMEI: 353717345176483, that is currently located at the Federal Bureau of Investigation office, 21711 North 7th Street, Phoenix, Arizona 85024

Case No. 24-8002MB

APPLICATION AND AFFIDAVIT FOR A SEARCH WARRANT

I, SA Francine Silva, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (*identify the person or describe the property to be searched and give its location*):

As further described in Attachment A.

Located in the District of Arizona, there is now concealed (*identify the person or describe the property to be seized*):

As set forth in Attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is (*check one or more*):

- ☒ evidence of a crime;
☐ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code/Section	Offense Description
18 U.S.C. §113(a)(6)	Assault resulting in a serious bodily injury
18 U.S.C. §2241(a)	Aggravated Sexual Abuse

The application is based on these facts:

As set forth in Attachment C, incorporated herein by reference.

☒ Continued on the attached sheet.

☐ Delayed notice of ___ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Reviewed by AUSA Raynette Logan RL
Sworn Telephonically

FRANCINE SILVA Digitally signed by FRANCINE SILVA
Date: 2024.01.16 11:00:58 -0700

Applicant's Signature

Francine Silva, SA, FBI
Applicant's printed name and title

JB
Judge's signature

Date issued: 1/16/24 2:28PMCity and State: Phoenix, Arizona

Honorable John Z. Boyle, U.S. Magistrate Judge
Printed name and title

ATTACHMENT A

DESCRIPTION OF ITEMS TO BE SEARCHED

- a. TARGET DEVICE – Black Samsung Phone with IMEI 353717345176483



ATTACHMENT B

ITEMS TO BE SEIZED

- From 3/1/23-12/31/23
- a. All records including call records, text messages, email, device locations, GPS locations, or third-party applications on TARGET DEVICE described in Attachment A that relate to a violation of assault, in violation of Title 18, United States Code, Sections 1152 and 113(a)(6), Assault Resulting in Serious Bodily Injury, and Title 18, United States Code, Sections 1152 and 2241(a), Aggravated Sexual Abuse.
 - b. Evidence of user attribution showing who used or owned TARGET DEVICE at the time the items described in this warrant were created, edited, or deleted, such as logs, phonebooks, text messages, calls, saved usernames and passwords, and documents;
 - c. Location
 - d. Any and all correspondence, including but not limited to telephone calls, messages, chat logs, and emails.
 - e. Any and all notes, documents, records, instructions, or correspondence, in any format or medium (including, but not limited to, envelopes, letters, papers, e-mail messages, chat logs and electronic messages, and other digital data files) concerning assault.
 - f. Any contacts, friends lists, address books, or related items;

As used above, the terms "records" and "information" include all of the foregoing items of evidence in whatever form and by whatever means they may have been created or stored, including any form of computer or electronic storage (such as flash memory or other media that can store data) and any photographic form.

ATTACHMENT C

**AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR
A SEARCH WARRANT**

I, Francine Silva, a Special Agent with the Federal Bureau of Investigation (“FBI”), being duly sworn, depose and state as follows:

INTRODUCTION

1. The facts of this case, as more fully detailed herein, are that on or about September 4, 2023, within the confines of the Gila River Indian Community (“GRIC”), within the District of Arizona, MICHAEL LIETKE violated federal law by assaulting C.M., in violation of Title 18, United States Code, Sections 1152 and 113(a)(6), Assault Resulting in Serious Bodily Injury, and Title 18, United States Code, Sections 1152 and 2241(a), Aggravated Sexual Abuse. I make this affidavit in support of an application for a search warrant for information associated with a certain cellular device, Black Samsung Phone with IMEI 353717345176483 (“TARGET DEVICE”). During the course of the investigation, investigators learned the TARGET DEVICE was utilized by MICHAEL LIETKE. Further, the TARGET DEVICE is believed to have been used by MICHAEL LIETKE in the days before and after the assault of C.M. I am requesting that the Court issue a search warrant to search the TARGET DEVICE, which is described further in Attachment A. The items to be searched for and seized are described in Attachment B.

PRELIMINARY BACKGROUND INFORMATION

2. Your affiant is a graduate of the FBI Academy in Quantico, VA. Your affiant has been employed with the FBI since December 2020. Your affiant is currently assigned to the FBI Phoenix Division and has primary investigative responsibility in Indian Country matters, to include, violent crimes, such as homicide, sexual assaults, and aggravated assaults. I have been trained in various aspects of law enforcement, including searching and seizing digital media to include telephone and social media content. In addition, I have been involved in multiple investigations in which digital media, including telephones and social media accounts, have been seized, searched, and forensically examined.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents, officers, investigators, and witnesses. This affidavit is intended to show merely there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter. I have set forth only the facts I believe are necessary to establish probable cause to believe evidence of a violation of Title 18, United States Code, Sections 1152 and 113(a)(6), Assault Resulting in Serious Bodily Injury, and Title 18, United States Code, Sections 1152 and 2241(a), Aggravated Sexual Abuse, is located within the TARGET DEVICE, more fully described in Attachment A, for items listed in Attachment B.

4. This Court has jurisdiction over these offenses under 18 U.S.C. § 1152 because the below-described events occurred on the GRIC, a federally recognized tribe, and the

1 victim of this aggravated assault resulting in serious bodily injury is an GRIC enrolled
2 member.

3 **DETAILS OF THE INVESTIGATION**

4 5. On September 10, 2023, Gila River Police Officers were dispatched to a house on
5 South Mendoza Street, Chandler, Arizona, which is within the jurisdictional boundaries of
6 the Gila River Indian Community, in reference to a call for a welfare check. Gila River Police
7 Officer Gabriel Bustillos responded to the dispatched location and made contact with two
8 individuals at the front door of the residence, later identified as C.M. and her boyfriend,
9 MICHAEL LIETKE. Both individuals stated they were okay, and Officer Bustillos then
10 asked MICHAEL LIETKE to step inside the residence so he could speak to C.M. alone.
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12 6. When MICHAEL LIETKE went inside the residence, C.M. informed Officer
13 Bustillos that MICHAEL LIETKE had physically assaulted her in her residence on
14 September 4 after a verbal argument had happened between the two of them. C.M. said
15 MICHAEL LIETKE had struck her in the face with open and closed fists, which resulted in
16 her suffering a broken nose. On September 5, another verbal argument in the residence
17 between the two lead to MICHAEL LIETKE striking C.M. in the face with closed fists to
18 her facial and torso area. C.M. assumed the fetal position on the master bedroom closet floor
19 where MICHAEL LIETKE repeatedly kicked her in her rib area then proceeded to grab a
20 leather belt and strike her across her body multiple times with it. After the physical assault
21 concluded, MICHAEL LIETKE grabbed C.M. by her hair, dragged her onto the master
22 bedroom bed, and proceeded to have sexual intercourse with her against her will.
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1 7. The following day, C.M. was taken to Banner Ocotillo Medical Center where she
2 was told by MICHAEL LIETKE to disclose to the hospital that her injuries were caused by
3 a motor vehicle accident. C.M. was seen by medical staff at the hospital and was discharged
4 with numerous injuries.

5 8. A review of C.M.'s hospital records from this incident indicated she suffered
6 bilateral black eyes, a nasal fracture, rib fractures, transverse process fractures, and an
7 indeterminate aged T12 fracture. There were no injuries that the hospital felt required
8 surgery. The records also showed C.M. was admitted on September 5, 2023, at 8:06 PM, and
9 discharged on September 6, 2023, at 12:11 AM.
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11 9. After being discharged from the hospital and returning to her residence, C.M.
12 stated MICHAEL LIETKE took her cell phone, wallet, keys, and would not let her have
13 unmonitored contact with her family or leave the residence on her own. MICHAEL LIETKE
14 threatened to kill her if she reported him to the authorities. C.M. eventually was able to
15 acquire her phone and sent a text message to her son with instructions to have the police
16 conduct a welfare check on her at the residence.
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18 10. Officer Bustillos then spoke to MICHAEL LIETKE about the injuries to C.M. He
19 stated she acquired the injuries from a motor vehicle accident and that no police report was
20 filed for the accident. MICHAEL LIETKE also denied any physical altercations ever having
21 occurred between C.M. and himself.
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23 11. C.M. then showed Officer Bustillos where the assault had taken place inside of the
24 residence and some spots that appeared to be blood, which she asserted were from the assault.
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1 MICHAEL LIETKE was then detained by Officer Bustillos and read his Miranda Rights.
2 MICHAEL LIETKE then agreed to answer questions without the presence of his attorney
3 and was then asked about the red spots in the residence and to elaborate on his knowledge
4 about the injuries to C.M. MICHAEL LIETKE then stated that C.M. had been out drinking
5 with one of her friends when she was attacked by multiple females, and she was not being
6 truthful about this situation. MICHAEL LIETKE was then transported to the Gila River
7 Indian Community Police Department.
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10 12. Gila River Police Department (GRPD) Detective Kevin Rivers and FBI SA Devin
11 Moynihan were informed of the situation and responded to the residence. When Detective
12 Rivers arrived at the residence, C.M. was inside and was being checked on periodically by
13 the officers still at the residence. Detective Rivers was informed that C.M. had signed a
14 consent to search form allowing for the collection of possible evidence from her residence.
15 Soon after, Gila River Crime Scene Specialist (CSS) Morgan Jaecks arrived at the residence.
16 C.M. advised Det. Rivers that the incidents occurred in the master bedroom area of the
17 residence. C.M. advised that she had been punched, kicked, and beaten with a belt by
18 MICHAEL LIETKE, and had suffered multiple injuries including a broken nose, broken ribs
19 and fractures in her back. C.M. informed Detective Rivers she had discharge paperwork from
20 the hospital detailing her injuries. C.M. showed Detective Rivers, CSS Jaecks, and SA
21 Moynihan where the incidents had occurred. CSS Jaecks took photographs, swabs of the
22 spots that appeared to be blood, and two belts.
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1 13. C.M. was then asked if she would consent to being transported to the Gila River
2 Family Advocacy Center to be interviewed by Detective Rivers and SA Moynihan, and to be
3 given a SANE examination. C.M. consented and was transported to the advocacy center.

4 14. When C.M. arrived at the advocacy center she was interviewed by Detective
5 Rivers and SA Moynihan. C.M. provided her biographical information and MICHAEL
6 LIETKE's telephone number of (779) 435-3162. C.M. said she asked her son to contact the
7 police because she was in fear for her life because MICHAEL LIETKE had threatened to kill
8 her. C.M. was then asked to describe all of the events leading up to, and including, the assault.
9 C.M. stated she and MICHAEL LIETKE had been in a romantic relationship for
10 approximately 10 months, and he lived with her at her residence. On Sunday, September 3,
11 he had pushed her down on the ground, and she had landed on her butt and back. On Monday,
12 September 4, she and MICHAEL LIETKE had left the residence to get food and to go to the
13 residence of R.W., who was a relative of C.M.'s to drink. After C.M. and MICHAEL
14 LIETKE returned to their residence, an argument ensued over the location of MICHAEL
15 LIETKE's phone, and that is when the assault began. MICHAEL LIETKE had repeatedly
16 struck her, kicked her, and whipped her with a belt. Then he dragged her onto the master
17 bedroom bed. While on the bed, MICHAEL LIETKE had choked her and proceeded to have
18 vaginal intercourse with her. C.M. stated she continuously tried to push MICHAEL LIETKE
19 off her and told him, "No. Get off of me".
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25 15. On what she believed was Wednesday, C.M. was in a lot of pain and knew she
26 needed to go to the hospital. She was unable to travel on her own, and she was told by
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1 MICHAEL LIETKE that he would not take her to the hospital unless she made up a story
2 about how she acquired her injuries. Therefore, when the hospital personnel asked C.M., she
3 told the medical staff she had been assaulted by several females. While at the hospital, C.M.
4 learned she had suffered a broken nose, broken ribs, fractures to her back, and bruising to her
5 face. When she was discharged from the hospital, she was taken back to her residence.
6 Sometime during the morning on Wednesday, while she was sleeping and under the influence
7 of her pain medication, MICHAEL LIETKE mounted her and engaged in sexual intercourse
8 with her. C.M. stated she told him to get off of her and that he was hurting her.
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11 16. After interviewing C.M., Detective Rivers and SA Moynihan went to the Gila
12 River Police Station to conduct an interview with MICHAEL LIETKE. Miranda Rights were
13 read to MICHAEL LIETKE by Detective Rivers, and he agreed to speak with the law
14 enforcement officers without the presence of legal counsel. He provided his biographical
15 information to include his telephone number of (779) 435-3162 and stated one of the Gila
16 River Officers currently had his cellular device. MICHAEL LIETKE was then asked to
17 describe the events of the previous week leading up to the present. He stated that on Sunday,
18 September 3, he and C.M. had gone out drinking with her aunt and uncle. As they were
19 leaving the bar where they were located, C.M. ran into her friend S.V., and they exchanged
20 phone numbers. MICHAEL LIETKE and C.M. then left the bar and returned to their
21 residence. C.M. told MICHAEL LIETKE that same evening that she was going to go out
22 drinking with S.V. and her boyfriend. When S.V. arrived at the residence, MICHAEL
23 LIETKE told them to leave, or he was going to call the police. C.M. left the residence with
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1 S.V., and MICHAEL LIETKE stayed at the residence. At approximately 2:30 AM the
2 following morning, he received a call from C.M. where she told him she had been beaten up
3 by two women. She told him she was near Broadway and McDowell in Mesa, and to come
4 pick her up. MICHAEL LIETKE looked up the location on his GPS and drove there to pick
5 up C.M. He mentioned it was near a "Circle K" gas station. MICHAEL LIETKE wanted to
6 take C.M. to the hospital that morning, but she refused. When he asked her what had
7 happened, she told him she was hanging out with her friend S.V., left to do her own thing,
8 and she was attacked. MICHAEL LIETKE later stated he found her at the "Circle K" gas
9 station. She told him she didn't remember where exactly she was when she was attacked. He
10 said her eyes looked bloodshot, her knees were scrapped up, and she had some bruises. He
11 did not see any blood on her. He took her home, then gave her some Ibuprofen and they went
12 to sleep.
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16 17. The next day, Tuesday, September 5, C.M. was complaining about how her ribs
17 were hurting, and MICHAEL LIETKE took her to the hospital. The doctor asked C.M. if she
18 wanted to make a police report, and she told them that she did not. The doctors told C.M. that
19 she had a fractured nose, three fractured ribs, and a fractured spine. They also told her she
20 did not require surgery. MICHAEL LIETKE took C.M. back to the residence and took the
21 rest of the week off work so he could care for her.
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24 18. On the night of September 9, they got into an argument at their residence regarding
25 one of his ex-girlfriends. They went outside to smoke and after they went back inside, the
26 police arrived. C.M. went outside to speak with the officers. MICHAEL LIETKE then went
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1 outside and asked what was happening. One of the officers then asked him to get inside of
2 the police car, and he was driven over to the police station and stayed inside of the vehicle
3 until shortly before the interview.

4 19. When asked, MICHAEL LIETKE said he and C.M. do have a physical sexual
5 relationship. The last time he remembers having sexual intercourse with C.M. was Thursday
6 or Friday of that week. When the two of them engage in sexual activities, it does not get
7 aggressive. MICHAEL LIETKE also stated C.M. has never told him no during any of their
8 sexual encounters. When asked about the comments made by C.M. of physical and sexual
9 assault that occurred on Sunday and Monday, he denied ever having hit or sexually assaulted
10 her at any point throughout their entire relationship. He also denied ever having threatened
11 her with violence. He was unsure why she would claim that he was the cause of her injuries.
12 When asked about the appearance of blood in the residence, he did not remember any blood
13 on her or anywhere in the residence. Later he did remember some dried blood on her head
14 from the bump she had. He did not remember seeing any blood in the residence and if he had,
15 he would have cleaned it.

16 20. Once the interview with MICHAEL LIETKE had concluded, Detective Rivers
17 and SA Moynihan were informed that the Cellular device he surrendered to the Gila River
18 Police Department when he was taken into custody was entered into evidence at the police
19 department.

20 21. On September 11, Detective Rivers and CSS Jaecks visited C.M. at her residence
21 to ask if they could take photographs of her medications prescribed by the hospital in addition
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1 to asking some follow-up questions regarding the incident that had occurred between her and
2 MICHAEL LIETKE. C.M. consented and she was asked if she knew who S.V. was. C.M.
3 stated S.V. was a friend of hers that she had not seen in a while. On Sunday, September 3,
4 while at a bar called "Zipps" with R.W. and MICHAEL LIETKE, she had run into S.V. and
5 the two of them had exchanged phone numbers. C.M. also invited S.V. to come to her
6 residence later to drink. When S.V. arrived at the residence, C.M. and MICHAEL LIETKE
7 were arguing and that is when he mentioned calling the police. S.V. then left the residence,
8 and C.M. stayed at the residence with MICHAEL LIETKE. The two continued arguing and
9 eventually went to sleep.
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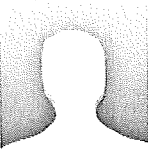
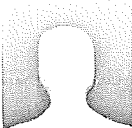
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12 22. C.M. continued by saying that on Monday, September 4, she told MICHAEL
13 LIETKE about her back hurting. The two of them went out to eat, they then came back to the
14 residence, then C.M. called R.W., and she and MICHAEL LIETKE went over to R.W.'s
15 residence to drink. When the two of them returned to her residence, MICHAEL LIETKE
16 stumbled out of his truck in the driveway. An argument ensued between the two of them
17 because he could not find his phone and assumed she had taken it. Then he assaulted her
18 inside of the residence. The next morning, on Tuesday, September 5, C.M. woke up and
19 texted her boss that she was not going to come in to work that day. C.M. then went outside
20 to look for MICHAEL LIETKE's phone and was able to locate it under his truck. The rest of
21 the day, C.M. stated she could barely move and eventually told MICHAEL LIETKE that she
22 was going to drive herself to the hospital. He told her she was not going alone and told her
23 she had to make up a story about her injuries.
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1 23. On September 13, Detective Rivers and SA Moynihan met with S.V. at her place
2 of work for an interview. S.V. was asked to describe the last time she saw C.M., and she
3 stated it was on Sunday, September 3. She first saw C.M. at a bar called "Zipps," located in
4 Chandler, Arizona. While at the bar, C.M. told S.V. to come over to her residence later that
5 same day. S.V. tried calling C.M. around 6:00 PM that day, but C.M. didn't answer the phone.
6 S.V. arrived to C.M.'s residence at approximately midnight. When S.V. arrived at the
7 residence, she saw C.M., MICHAEL LIETKE, and what she thought was a third person,
8 standing outside on the porch of the residence. As she approached the residence, MICHAEL
9 LIETKE made contact with her and told her she needed to leave because the police were on
10 their way to the residence. S.V. went back to her vehicle and left the residence. S.V. stated
11 that C.M. did not leave the residence with her that night, and she had not spoken to C.M.
12 since that night.
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16 24. After speaking with S.V., Detective Rivers and SA Moynihan, went to speak with
17 C.M. at her residence. After making contact with her, she was asked if there had been another
18 person with her and MICHAEL LIETKE on the night of Sunday, September 3. C.M. stated
19 she and MICHAEL LIETKE were the only two people at the residence when S.V. arrived.
20 After S.V. left the residence, C.M. remained at the residence for the rest of the night and did
21 not leave the residence without MICHAEL LIETKE the following week. At the end of the
22 interview, C.M. was asked if she would consent to a search of her phone via a forensic
23 download. C.M. agreed and arrangements were made to return to her residence the following
24 morning and retrieve her phone.
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1 25. On September 14, Detective Rivers and SA Moynihan returned to the residence of
2 C.M. to retrieve her phone. C.M. gave her phone to SA Moynihan and signed a form
3 consenting to the search. The phone was taken to the FBI Phoenix Field Office where it was
4 forensically downloaded. After the download was complete, the phone was returned to C.M.
5 by SA Moynihan that same day.
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7 26. During a course of review of the forensically examined cellular device belonging
8 to C.M., described as purple iPhone 14 pro with clear case, SA Moynihan and your affiant
9 were able to identify multiple phone-call log data, chat data, contact information data, and
10 device location data stored on the device. A review of the device's contact information
11 revealed a listed number of (779) 435-3162 with the monikers "Babe" and "Gucci". This was
12 the same number provided during the interviews of C.M. and MICHAEL LIETKE as the
13 cellular telephone number belonging to MICHAEL LIETKE. Based on the aforementioned
14 factual information, there is probable cause to believe the number (779) 435-3162 is
15 associated with MICHAEL LIETKE and the TARGET DEVICE which he turned over to the
16 Gila River Police Department when he was taken into custody.
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Name: Gucci	Name: Babe
Device description:	Device description:
Source: Recents	Source:
Account:	Account:
Group:	Group:
Created:	Created: 8/14/2023 3:30:12 PM(UTC+0)
Modified:	Modified: 9/14/2023 8:00:04 AM(UTC+0)
Last time contacted:	Last time contacted:
Times contacted:	Times contacted:
Extraction: Legacy	Extraction: Legacy
Manually decoded: False	Manually decoded: False
Source file: 00008120-001E10CA3C9B401E_files_aiq.zi p/private/var/mobile/Library/Recents/ Recents-wal : 0x14EE15 (Table: contacts; Size: 1404952 bytes)	Source file: 00008120-001E10CA3C9B401E_files_aiq.zi p/private/var/mobile/Library/ AddressBook/AddressBook.sqlitedb-wal : 0x180D99 (Table: ABPerson; Size: 2488512 bytes) 00008120-001E10CA3C9B401E_files_aiq.zi p/private/var/mobile/Library/ AddressBook/AddressBook.sqlitedb : 0x5677B (Table: ABMultiValue; Size: 708608 bytes)
Interaction Statuses	Interaction Statuses
Additional info	Additional info
Details	Details
+17794353162	User ID 50A1031E-0A31-45AE-B305-C1D287569... General +17794353162

27. A review of C.M.'s device call log data showed numerous calls made to and received from the number (779) 435-3162. The most recent call was on September 4 at 11:45:24 AM, where C.M.'s cellular device received a call from (779) 435-3162. However, there was no record of a call on the device of C.M. to or from (779) 435-3162 around the time MICHAEL LIETKE described receiving a call from C.M. asking him to pick her up because she had been assaulted. Based on the aforementioned information, there is probable cause to believe the TARGET DEVICE was in use until September 4 at 11:45:24 AM, which

is after MICHAEL LIETKE described the incident with C.M. having occurred.

#		Parties	Timestamp	Duration	Status
1		From: +17794353162 Babe	9/4/2023 6:45:24 PM(UTC+0)	00:00:00	Missed
2		To: +17794353162 Babe	9/3/2023 8:25:52 PM(UTC+0)	00:00:00	Not answered
3		To: +17794353162 Babe	9/2/2023 12:17:37 AM(UTC+0)	00:14:28	Answered
4		To: +17794353162 Babe	9/1/2023 10:51:25 PM(UTC+0)	00:14:02	Answered
5		From: +17794353162 Babe	9/1/2023 1:01:23 AM(UTC+0)	00:13:26	Answered
6		From: +17794353162 Babe	9/1/2023 12:29:57 AM(UTC+0)	00:11:17	Answered
7		From: +17794353162 Babe	8/31/2023 8:31:12 PM(UTC+0)	00:00:00	Not answered
8		To: +17794353162 Babe	8/31/2023 6:09:21 PM(UTC+0)	00:00:04	Answered
9		To: +17794353162 Babe	8/30/2023 5:48:07 PM(UTC+0)	00:00:03	Answered
10		To: +17794353162 Babe	8/30/2023 9:07:59 AM(UTC+0)	00:00:20	Answered
11		To: +17794353162 Babe	8/30/2023 7:22:36 AM(UTC+0)	00:00:02	Answered
12		To: +17794353162 Babe	8/30/2023 7:21:44 AM(UTC+0)	00:00:04	Answered
13		To: +17794353162 Babe	8/30/2023 3:00:56 AM(UTC+0)	00:00:04	Answered
14		To: +17794353162 Babe	8/30/2023 3:00:17 AM(UTC+0)	00:00:03	Answered
15		From: +17794353162 Babe	8/30/2023 12:49:15 AM(UTC+0)	00:00:00	Not answered

28. A review of the device's Location data revealed numerous locations and associated time stamps. On September 3, 2023, from 3:58:56 PM through 6:04:56 PM, the location coordinates for the cellular device place it in the vicinity of "Zipps Sports Grill". Following the aforementioned location, the device revealed the other location frequented from 09/03/2023 @ 20:57 to approximately 09/04/2023 @ 17:12 by C.M was on Mendoza St., Chandler, AZ, at her residence. C.M remained at her residence during the time MICHAEL LIETKE described being away from the residence.

29. A review of the device's voicemail data revealed numerous voicemails left by MICHAEL LIETKE to C.M. On August 8, MICHAEL LIETKE states, "I got proof of all that, I didn't delete all my messages just like you have I still have... 8 thousand messages from you". Based on the voicemail left by LIETKE there is probable cause that all text messages and phone calls made to and from C.M. will not be deleted from the TARGET DEVICE.

1 30. Based on the aforementioned factual information, there is probable cause that all text
2 messages and phone calls made to and from C.M. may be contained on the evidence that has
3 been collected in this investigation. As such, your Affiant requests the issuance of a search
4 warrant for the TARGET DEVICE to collect any available evidence pertaining to the
5 aggravated assault of C.M.
6

7 CONCLUSION

8 31. Based on my training and experience, consultation with other special agents and
9 law enforcement officers, and all of the facts as set forth in this affidavit, there is sufficient
10 probable cause to believe a violation of Title 18, United States Code, Sections 1152 and
11 113(a)(6), Assault Resulting in Serious Bodily Injury, and Title 18, United States Code,
12 Sections 1152 and 2241(a), Aggravated Sexual Abuse, has been committed, and evidence of
13 the crime will be found in the cellular device described in this Affidavit and Attachment A.
14 I believe the time, date, the duration of incoming and outgoing calls to the cellular phone,
15 incoming and outgoing text messages, device locations and other electronic data as listed in
16 Attachment B, will be located on the cellular device. Wherefore, your affiant respectfully
17 requests a warrant be issued authorizing Special Agents to examine, analyze, and make
18 record of the contents of the information stored in the seized cellular telephone described in
19 this Affidavit and Attachment A. This affidavit was sworn telephonically before a United
20 States Magistrate Judge legally authorized to administer an oath for this purpose.
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1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct.
3

4 Dated: _____

FRANCINE SILVA Digitally signed by FRANCINE
SILVA
Date: 2024.01.16 11:02:06 -07'00'

Special Agent Francine Silva
Federal Bureau of Investigation

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7 Subscribed and sworn to before me this 16th day of January, 2024
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10 
11 Honorable John Z. Boyle
12 United States Magistrate Judge
13 District of Arizona
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